



# CITY OF EL MONTE

## OFFICE OF THE CITY ATTORNEY

July 12, 2004

Board of Supervisors  
County of Los Angeles  
Kenneth Hahn Hall of Administration  
500 W. Temple Street, Ste. 383  
Los Angeles, CA 90012

Attn: Ms. Violet Varona-Lukens, Executive Officer

RE: REQUEST TO ORDER CONSOLIDATION AND FOR THE PROVISION OF SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF AN EL MONTE GENERAL MUNICIPAL ELECTION CONDITIONALLY CALLED FOR TUESDAY, MARCH 7, 2006 OR IN THE ALTERNATIVE TUESDAY, NOVEMBER 8, 2005.

Dear Ms. Varona-Lukens:

Enclosed is a certified copy of Resolution No. 8485 adopted by the El Monte City Council on June 15, 2004 respectfully requesting the Board of Supervisors of the County of Los Angeles approve one of two election consolidation options. The options are as follows in order of preference:

1. Consolidation of an El Monte General Municipal Election held on March 7, 2006 with the County-administered statewide direct primary election of the same date (i.e. the first Tuesday in March of even-numbered years); or in the alternative
2. Consolidation of an El Monte General Municipal Election held on November 8, 2005 with the County-administered Uniform District Election Law election ("UDEL Election") of the same date (i.e. the first Tuesday following the first Monday in November of odd-numbered years).

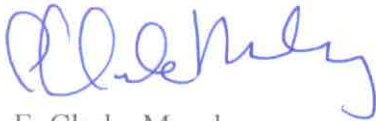
Regardless of the date approved by the Board of Supervisors, the City Council further requests that the Board of Supervisors authorize and direct the Registrar-Recorder/County Clerk (the "Registrar") to canvass the returns of said consolidated general municipal election; and render services to the City relating to the conduct of the City's consolidated general municipal election.

The City of El Monte agrees to reimburse the County of Los Angeles for all costs related to this request and asks that invoices be sent to the El Monte City Clerk at 11333 Valley Boulevard, El Monte, California 91731. Also enclosed is a certified copy of Ordinance No. 2616, conditionally adopted by the El Monte City Council on July 6, 2004.

Also enclosed for your review and consideration, please find a joint report of the El Monte City Clerk's Office and the El Monte City Attorney's Office in support of the City's consolidation request.

With respect to this consolidation request, we ask that you please notify our office as to the date and time when this matter will be heard by the Board of Supervisors so that staff and other City representatives may attend, offer testimony and answer any questions the Board may have. If *you* have any questions or require any additional information, please do not hesitate to contact us. We will be more than happy to help.

Very truly yours,

A handwritten signature in blue ink, appearing to read "E. Clarke Moseley".

E. Clarke Moseley  
City Attorney

Enclosure(s)

Cc: Connie B. McCormack, Registrar-Recorder/County Clerk  
Juan D. Mireles, City Manager  
Helen Lopez, Chief Deputy City Clerk

RESOLUTION NO. 8485

A RESOLUTION OF THE EL MONTE CITY COUNCIL REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES APPROVE ONE OF TWO ELECTION CONSOLIDATION OPTIONS: (A) CONSOLIDATION OF AN EL MONTE GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 7, 2006 WITH THE COUNTY-ADMINISTERED STATEWIDE DIRECT PRIMARY ELECTION CONDUCTED ON THE SAME DAY (I.E. FIRST TUESDAY IN MARCH OF EVEN-NUMBERED YEARS) OR IN THE ALTERNATIVE (B) CONSOLIDATION OF AN EL MONTE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2005 WITH THE COUNTY-ADMINISTERED UNIFORM DISTRICT ELECTION LAW ELECTION ("UDEL ELECTION") OF THE SAME DAY (I.E. THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY IN NOVEMBER OF ODD-NUMBERED YEARS).

WHEREAS, the City Council of the City of El Monte (hereinafter the "City Council") has conditionally called a General Municipal Election to be held either on March 7, 2006, or alternatively November 8, 2005, pending the selection of one of two election consolidation options by the Board of Supervisors for the County of Los Angeles ("Board of Supervisors"); and

WHEREAS, any consolidated election approved by the Board of Supervisors shall be for the purpose of electing a Mayor and two Members of the City Council, a City Clerk and a City Treasurer; and

WHEREAS, the City Council's first preference is that the Board of Supervisors approve consolidation of an El Monte General Municipal Election held on March 7, 2006 with the County-administered statewide direct primary election held on the same date (i.e. the first Tuesday in March of even-numbered years); and

WHEREAS, the City Council, recognizing that the Board of Supervisors may find that its first choice for consolidation is not feasible, is also amenable (albeit as a second choice) with Board of Supervisors approval of consolidation of an El Monte General Municipal Election held on November 8, 2005 with the County-administered Uniform District Election Law election ("UDEL Election") held on the same date (i.e. the first Tuesday following the first Monday in November of odd-numbered years); and

WHEREAS, it is desirable that the El Monte General Municipal Election (regardless of the date approved by the Board of Supervisors) be consolidated with the County-administered election of the same date and that within the City of El Monte the precincts, polling places and election officers of the two elections be the same, and that the Office of the Registrar-Recorder/County Clerk for the County of Los Angeles canvass the returns of said El Monte General Municipal Election and that said election be held in all respects as if it were part and parcel of the County-administered election.

1. Approve consolidation of an El Monte General Municipal Election to be conducted on March 7, 2006 with the County-administered statewide direct primary election of the same date (i.e. the first Tuesday in March of even-numbered years); or in the alternative
2. Approve consolidation of an El Monte General Municipal Election to be conducted on November 8, 2005 with the County-administered Uniform District Election Law election ("UDEL Election") of the same date (i.e. the first Tuesday following the first Monday in November of odd-numbered years).

SECTION 2. The El Monte General Municipal Election (regardless of which option is approved by the Board of Supervisors) shall be for the purpose of the election of a Mayor, two Members of the City Council, a City Clerk and a City Treasurer.

SECTION 3. That its also respectfully requested (regardless of the option approved by the Board of Supervisors) that the Board of Supervisors authorize and direct the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles (the "County Registrar") to canvass the returns of the consolidated El Monte General Municipal Election and that said election be held in all respects as if it were part and parcel of the County-administered election.

SECTION 4. That its is further respectfully requested (regardless of the option approved) that the Board of Supervisors authorize and direct the County Registrar to:

- (a) Print and supply ballots for the El Monte General Municipal Election;
- (b) Mail the City's sample ballots and candidate's statements of qualifications to the registered voters in the City of El Monte

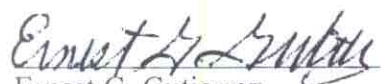
SECTION 5. It is also respectfully requested that the Board of Supervisors issue instructions to the County Registrar to take any and all additional steps necessary for the holding of the consolidated election requested above.

SECTION 6. That the City Council, recognizing that additional costs may be incurred by the County of Los Angeles by reason of consolidation, agrees to reimburse the County for any such costs.

SECTION 7. That the El Monte City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Clerk along with certified copies of Ordinance No. 2616 approved by the City Council July 6, 2004.

SECTION 8. That the El Monte City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED ON** this 15th day of June, 2004.



Ernest G. Gutierrez  
Mayor of the City of El Monte

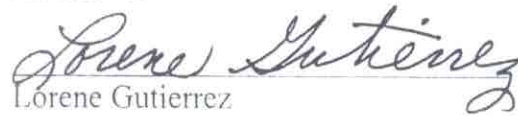
STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )     SS:  
CITY OF EL MONTE                    )

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 8485 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 15th day of June, 2004 and that said resolution was adopted by the following vote, to-wit:

AYES:           Mayor Gutierrez, Councilman Barrios, Councilman Gomez,  
                  Councilwoman Ishigaki and Councilwoman Wallach

NOES:           None

ABSENT:       None

  
Lorene Gutierrez  
City Clerk of the City of El Monte